

1 I, JUDY YANG, being first sworn, depose and say the following, subject to penalty of  
2 perjury:

3 1. I am an investigator, employed by Filley & Associates, a private investigation  
4 company. All of the matters stated herein are based on my personal knowledge. If sworn as  
5 witness I could and would testify competently to the matters stated herein.  
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7 2. At the request of Plaintiff U2 HOME ENTERTAINMENT, INC., I was assigned  
8 to conduct a survey of the following video outlet in the New York Metropolitan Area, New York  
9 for suspected copyright infringement.  
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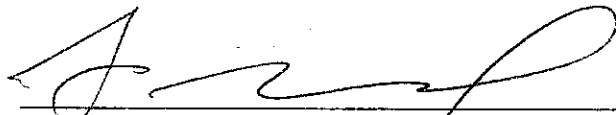
11 NEW MELODY MUSIC, INC.

12 1. On or about July 14, 2007 at approximately 3:30 PM, I visited the video store of  
13 Defendant New Melody Music, Inc. located at 24 East Broadway, New York, NY 10002. The  
14 store specializes in the sale of Chinese language video discs. The store was located on street  
15 level. I observed one Asian female attendant in her 20's and one Asian male attendant in his 50's  
16 in charge of the business. They were both speaking the Fuchow dialect. I observed various  
17 DVDs, VCDs, and CDs behind the counter in plastic envelopes with titles handwritten onto the  
18 discs. I estimated that the premises occupy an area of approximately four hundred (400) square  
19 feet.  
20  
21

22 2. I observed approximately one thousand (1,000) Chinese DVDs, VCDs, and CDs for sale  
23 in which I estimated approximately sixty (60) to be Plaintiff's titles. I selected and purchased the  
24 television program title to which Plaintiff owns the copyright as follows: HEART OF GREED  
25 (Episodes 1-40). I paid the sum of \$35.00 in cash. A receipt was issued. I also obtained a  
26 business card with Defendant's name, business address and phone number.  
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3. All of the purchased video discs from the Defendant as well as the receipt and business card from Defendant were forward to Plaintiff's Associate Counsel LYNDA HUNG, ESQ.

Executed this 8 day of August, 2007 in San Francisco, California.

  
\_\_\_\_\_  
JUDY YANG

SUBSCRIBED AND SWORN TO BEFORE ME on the 8 day of August, 2007.

  
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Notary Public in and for The State of CALIFORNIA

